

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of	)	
FUJIBAYASHI et al.	)	Art Unit 2116
Application Number: 10/773,255	)	Examiner
Filed: February 9, 2004	)	Abdelnomiem L ELAMIN
For: COMPUTER SYSTEM USING DISK	)	Fax No. (571) 273-3674
CONTROLLER AND OPERATING	)	
SERVICE THEREOF	)	
Attorney Docket No. NITT.0179	)	

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-145

**LETTER**

Sir:

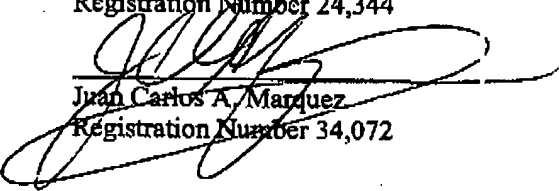
The below-identified communications are submitted in the above-captioned application or proceeding:

- (x) Substitute Oath or Declaration
- (x) Declaration and Power of Attorney

- ☒ The Commissioner is hereby authorized to charge payment of any fees associated with this communication, including fees under 37 C.F.R. § 1.16 and 1.17 or credit any overpayment to Deposit Account Number 08-1480. A duplicate copy of this sheet is attached.

Respectfully submitted,

\_\_\_\_\_  
Stanley P. Fisher  
Registration Number 24,344

  
\_\_\_\_\_  
Juan Carlos A. Marquez  
Registration Number 34,072

REED SMITH LLP  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200  
October 6, 2006

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of )

FUJIBAYASHI et al. )

Application Number: 10/773,255 )

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For: COMPUTER SYSTEM USING DISK )  
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Art Unit 2116

Examiner  
Abdelnomiem I. ELAMIN

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P.O. Box 1450  
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In re Patent Application of

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For: COMPUTER SYSTEM USING DISK  
CONTROLLER AND OPERATING  
SERVICE THEREOF

Attorney Docket No. NITT.0179

Art Unit 2116

Examiner  
Abdelnomiem I. ELAMIN

Fax No. (571) 273-3675

Commissioner of Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450**SUBSTITUTE OATH OR DECLARATION**

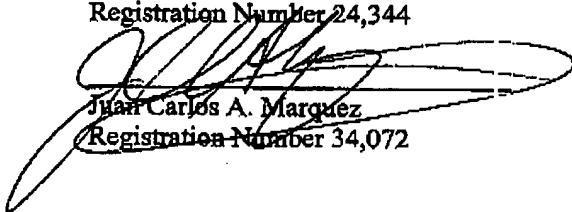
Sir:

Applicant hereby submits a substitute Declaration to be used pursuant to 37. C.F.R. §1.67 to correct the address of the first inventor listed therein.

The substitute Declaration with the correction is being submitted herewith.

It is believed that there is no fee associated with this filing. The Commissioner is hereby authorized to charge payment of there are any fees associated with this communication, including fees under 37 C.F.R. §§ 1.16 and 1.17 or credit any overpayment to Deposit Account Number 08-1480. A duplicate copy of this sheet is attached. Kindly direct any inquiries in connection with this matter to the undersigned.

Respectfully submitted,

Stanley P. Fisher  
Registration Number 24,344  
Juan Carlos A. Marquez  
Registration Number 34,072REED SMITH LLP  
3110 Fairview Park Drive  
Suite 1400  
Falls Church, Virginia 22042  
(703) 641-4200  
October 6, 2006

PTO/SB/108(9-98)

Approved for use through 8/30/98. OMB 0981-0032

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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## Declaration and Power of Attorney For Patent Application

## 特許出願宣言書及び委任状

## Japanese Language Declaration

## 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled

Computer System Using Disk Controller

and Operating Service Thereof

上記発明の明細書（下記の欄で×印がついていない場合は、本書に添付）は、

The specification of which is attached hereto unless the following box is checked:

☐ 月 日に提出され、米国出願番号または特許協定条約国際出願番号を \_\_\_\_\_ とし、  
(該当する場合) \_\_\_\_\_ に訂正されました。☐ was filed on \_\_\_\_\_  
as United States Application Number or  
PCT International Application Number  
\_\_\_\_\_ and was amended on  
\_\_\_\_\_ (if applicable).

私は、特許請求範囲を含む上記訂正後の明細書を検討し、内容を理解していることをここに表明します。

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

私は、連邦規則法典第37編第1章66項に定義されるとおり、特許資格の有無について重要な情報を開示する義務があることを認めます。

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Page 1 of 4

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PTO/SB/108(B-08)

Approved for use through 9/30/98. NMB 0881-0082  
Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Japanese Language Declaration  
(日本語宣誓書)

私は、米国法典第35編119条(a)-(d)項又は365条(b)項に基き下記の、米国以外の国の少なくとも一カ国を指定している特許協力条約365(a)項に基き同条出版、又は外国での特許出願もしくは発明考証の出願についての外国優先権をここに主張するとともに、優先権を主張している、本出願の前に出願された特許または発明考証の外国出願を以下に、枠内をマークすることで、示しています。

## Prior Foreign Application(s)

外国での先行出願

2001-128424	Japan
(Number)	(Country)
(番号)	(国名)
(Number)	(Country)
(番号)	(国名)

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT international application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed  
優先権主張なし

私は、第35編米国法典119条(a)項に基いて下記の米国特許出願規定に記載された権利をここに主張いたします。

(Application No.)	(Filing Date)
(出願番号)	(出願日)

I hereby claim the benefit under Title 35, United States Code, Section 119(e) of any United States provisional application(s) listed below.

私は、下記の米国法典第35編120条に基いて下記の米国特許出願に記載された権利、又は米国を指定している特許協力条約365条(c)に基き権利をここに主張します。また、本出願の各請求範囲の内容が米国法典第36編112条第1項又は特許協力条約で規定された方法で先行する米国特許出願に開示されていない限り、その先行米国出願書提出日以降で本出願書の日本国内または特許協力条約国際提出日までの期間中に入呈された、連邦規則法典第87編1条56項で定義された特許資格の有無に関する重要な情報について開示義務があることを認識しています。

I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of application.

(Application No.)	(Filing Date)
(出願番号)	(出願日)

(Status: Patented, Pending, Abandoned)
(状況: 特許許可済、係属中、放棄済)

(Application No.)	(Filing Date)
(出願番号)	(出願日)

(Status: Patented, Pending, Abandoned)
(状況: 特許許可済、係属中、放棄済)

私は、私自身の知識に基づいて本宣誓書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の表明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PTO/SB/108(8-98) (Mortulated spacing)

Approved for use through 8/30/98. UMB 0651-0032

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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### Japanese Language Declaration (日本語宣誓書)

委任状： 私は下記の発明者として、本出願に関する一切の手続きを米特許商標局に対して遂行する弁護士または代理人として、下記の者を指名いたします。(弁護士、または代理人の氏名及び登録番号を明記のこと)

POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Stanley P. Fisher, Reg. No. 24,344 and Juan Carlos Marquez,  
Reg. No. 34,072

#### 書類送付先

Send Correspondence to:

Stanley P. Fisher  
Reed Smith LLP  
3110 Fairview Park Drive, Suite 1400  
Falls Church, Virginia 22042-4503

#### 直接電話連絡先：(名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Telephone: (703)841-4211  
Fax: (703)841-4340

唯一または第一発明者名		Full name of sole or first inventor	
Akira FUJIBAYASHI			
発明者の署名	日付	Inventor's signature	Date
		Akira Fujibayashi	10/2/2006
住所		Residence	
Sagamihara, Japan			
国籍		Citizenship	
Japan			
私書箱		Post Office Address	
		c/o Hitachi, Ltd., Intellectual Property Group 8-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220 Japan	

(第二以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for second and subsequent joint inventors.)

PTX 88/100(8-00)

Approved for use through 6/30/08. OMB 0861-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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第二共同発明者名		Full name of second joint inventor, if any Kazuhisa FUJIMOTO	
第二共同発明者の署名	日付	Second inventor's signature	Date
		<i>Kazuhisa Fujimoto</i>	10/2/2006
住所		Residence Koganei, Japan	
国籍		Citizenship Japan	
私書箱		Post Office Address c/o Hitachi, Ltd., Intellectual Property Group 8-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220 Japan	
第三共同発明者名		Full name of third joint inventor, if any Hiroki KANAI	
第三共同発明者の署名	日付	Third inventor's signature	Date
		<i>Hiroki Kanai</i>	10/2/2006
住所		Residence Odawara, Japan	
国籍		Citizenship Japan	
私書箱		Post Office Address c/o Hitachi, Ltd., Intellectual Property Group 8-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220 Japan	
第四共同発明者名		Full name of fourth joint inventor, if any	
第四共同発明者の署名	日付	Fourth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
私書箱		Post Office Address	
第五共同発明者名		Full name of fifth joint inventor, if any	
第五共同発明者の署名	日付	Fifth inventor's signature	Date
住所		Residence	
国籍		Citizenship	
私書箱		Post Office Address	

PTO/SB/108(2-05)

Approved for use through 8/30/98. OMB 0001-0002  
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## Declaration and Power of Attorney For Patent Application

## 特許出願宣言書及び委任状

## Japanese Language Declaration

## 日本語宣言書

下記の氏名の発明者として、私は以下の通り宣言します。

As a below named inventor, I hereby declare that:

私の住所、私書箱、国籍は下記の私の氏名の後に記載された通りです。

My residence, post office address and citizenship are as stated next to my name.

下記の名称の発明に関して請求範囲に記載され、特許出願している発明内容について、私が最初かつ唯一の発明者（下記の氏名が一つの場合）もしくは最初かつ共同発明者であると（下記の名称が複数の場合）信じています。

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(該当する場合) \_\_\_\_\_ に訂正されました。☐ was filed on \_\_\_\_\_  
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\_\_\_\_\_ (if applicable).

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I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

Page 1 of 4

Brevin Hour Statement: This form is estimated to take 0.4 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, Patent and Trademark Office, Washington, DC 20531. DO NOT SEND PRESS OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner of Patents and Trademarks, Washington, DC 20531.



PTO/SB/100(8-99)

Approved for use through 9/30/98, OMB 0081-0032

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#### Prior Foreign Application(s)

外国での先行出願

2001-138424	Japan
(Number)	(Country)
(番号)	(国名)
(Number)	(Country)
(番号)	(国名)

I hereby claim foreign priority under Title 35, United States Code, Section 119 (a)-(d) or 365(b) of any foreign application(s) for patent or inventor's certificate, or 365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Priority Not Claimed

優先権主張なし



私は、第35編米国法典119条(e)項に基づいて下記の米国特許出願規定に記載された権利をここに主張いたします。

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(Application No.) (出願番号)	(Filing Date) (出願日)
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I hereby claim the benefit under Title 35, United States Code, Section 120 of any United States application(s), or 365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of Title 35, United States Code Section 112, I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.66 which became available between the filing date of the prior application and the national or PCT International filing date of application.

(Application No.) (出願番号)	(Filing Date) (出願日)
-----------------------------	------------------------

(Status: Patented, Pending, Abandoned) (現況: 特許許可済、係属中、放棄済)
---

私は、私自身の知識に基づいて本宣言書中で私が行なう表明が真実であり、かつ私の入手した情報と私の信じるところに基づく表明が全て真実であると信じていること、さらに故意になされた虚偽の表明及びそれと同等の行為は米国法典第18編第1001条に基づき、罰金または拘禁、もしくはその両方により処罰されること、そしてそのような故意による虚偽の表明を行なえば、出願した、又は既に許可された特許の有効性が失われることを認識し、よってここに上記のごとく宣誓を致します。

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PTO/SB/106 (8-99) (Modular spacing)

Approved for use through 9/30/98. OMB 0861-0032

Patent and Trademark Office, U.S. DEPARTMENT OF COMMERCE

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POWER OF ATTORNEY: As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith (list name and registration number)

Stanley P. Fisher, Reg. No. 24,344 and Juan Carlos Marquez, Reg. No. 24,072

#### 書類送付先

Send Correspondence to:  
Stanley P. Fisher  
Reed Smith LLP  
3110 Fairview Park Drive, Suite 1400  
Falls Church, Virginia 22042-4503

#### 直接電話連絡先: (名前及び電話番号)

Direct Telephone Calls to: (name and telephone number)

Telephone: (703)841-4211  
Fax: (703)841-4340

唯一または第一発明者名	Full name of sole or first inventor Akira FUJIBAYASHI	
発明者の署名	日付	Inventor's signature Date Akira Fujibayashi 10/2/2006
住所	Residence Sagamihara, Japan	
国籍	Citizenship Japan	
郵便箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group 6-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220 Japan	

(第二以降の共同発明者についても同様に記載し、署名をすること)

(Supply similar information and signature for second and subsequent joint inventors.)

PTO/SB/108(2-88)

Approved for use through 8/30/98. OMB 0851-0032

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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第二共同発明者名	Full name of second joint inventor, if any Kazuhisa FUJIMOTO	
第二共同発明者の署名	日付	Second inventor's signature Date <i>Kazuhisa Fujimoto</i> 10/2/2006
住所	Residence Koganei, Japan	
国籍	Citizenship Japan	
私書箱	Post Office Address c/o Hitachi, Ltd., Intellectual Property Group 8-1, Marunouchi 1-chome, Chiyoda-ku, Tokyo 100-8220 Japan	
第三共同発明者名	Full name of third joint inventor, if any Hirotaki KANAI	
第三共同発明者の署名	日付	Third inventor's signature Date <i>Hirotaki Kanai</i> 10/2/2006
住所	Residence Odawara, Japan	
国籍	Citizenship Japan	
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第四共同発明者の署名	日付	Fourth inventor's signature Date
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第五共同発明者名	Full name of fifth joint inventor, if any	
第五共同発明者の署名	日付	Fifth inventor's signature Date
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国籍	Citizenship	
私書箱	Post Office Address	